



pennsylvania
DEPARTMENT OF PUBLIC WELFARE

REPORT ON THE NEAR FATALITY OF:



Date of Birth: 12/07/2007
Date of Death or Date of Incident: 07/24/2014
Date of Oral Report: 07/24/2014

FAMILY NOT KNOWN TO any Public Agency

REPORT FINALIZED ON:
08/05/2015

Unredacted reports are confidential under the provisions of the Child Protective Services Law and cannot be released to the public.
(23 Pa. C.S. Section 6340)

Unauthorized release is prohibited under penalty of law.
(23 Pa. C.S. 6349 (b))

Reason for Review:

Senate Bill 1147, Printer's Number 2159 was signed into law on July 3, 2008. The bill became effective on December 30, 2008 and is known as Act 33 of 2008. As part of Act 33 of 2008, DPW must conduct a review and provide a written report of all cases of suspected child abuse that result in a child fatality or near fatality. This written report must be completed as soon as possible but no later than six months after the date the report was registered with ChildLine for investigation.

Act 33 of 2008 also requires that county children and youth agencies convene a review when a report of child abuse involving a child fatality or near fatality is indicated or when a status determination has not been made regarding the report within 30 days of the oral report to ChildLine. Philadelphia County has convened a review team in accordance with Act 33 of 2008 related to this report.

Family Constellation:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Biological Mother	[REDACTED]/1988
[REDACTED]	Child	12/07/2007
[REDACTED]	Mother's Paramour	[REDACTED]/1988
[REDACTED]	Paramour's Child	[REDACTED]/2011
[REDACTED]	Paramour's Child	[REDACTED]/2012

Notification of Child Near Fatality:

On 07/24/2014 the Department of Human Services (DHS) received a Child Protective Services (CPS) report alleging that six year old child was unresponsive when paramedics arrived at her home. She was transported to St Christopher's Hospital. The mother's paramour was providing care for the child at the time of the incident. The paramour reported that the child was in the bathroom brushing her teeth when she fell and hit her head. When the paramour moved the child, she lost her consciousness.

Summary of DPW Child Near Fatality Review Activities:

The Southeast Regional Office of Children, Youth and Families obtained and reviewed all case documentation, and documents pertaining to the victim child. Contact was made with the Philadelphia Department of Human Service (DHS) case worker to obtain the documents listed below. The regional office participated in the Act 33 meeting on 08/15/2014.

Records and Documents Reviewed:

Court Documents
Safety Assessment
Medical Records
Structured Case notes, and CY48

Children and Youth Involvement prior to Incident:

The family was not known to Philadelphia County Children and Youth prior to this report.

Circumstances of Child Near Fatality and Related Case Activity:

The biological mother was not in the home when the incident occurred, she reported receiving a call from her paramour informing her that the child was sick and needed to be taken to the hospital. The paramour also told the biological mother that while she was in the basement, the child was in the bathroom brushing her teeth and while doing so she fell and hit her head. The child was not able to stand on her own after the fall and she complained of not being able to breath; at that point, the paramour gave her the [REDACTED].

The biological mother told her paramour to wait until the maternal grandfather (MGF) got to the home, because he was in route to the home to do plumbing work. The biological mother wanted the MGF to make the decision to take her to the hospital; she was concerned that the paramour would not be allowed to sign for treatment at the hospital. The biological mother was adamant about the maternal grandfather MGF taking the child to the hospital. By the time the MGF arrived at the home the child was not responsive.

The MGF stated that it took him 20 minutes to get to the home, when he arrived he went upstairs and saw the child sitting up on the bed with the [REDACTED]. He reported that her eyes did not look right, so he took her downstairs and laid her on the floor, he reported that her arms were limp and immediately called 911. According to the MGF the paramedics arrived in 5 minutes. The MGF went in the ambulance with the child to St. Christopher's Hospital.

At St Christopher's Hospital, the child was diagnosed [REDACTED]; she had [REDACTED] for her head injury, during the examination the doctor found an old rib fracture. The child remained in the hospital [REDACTED].

The biological mother was not able to explain how the child received the fractured rib. The biological mother reported that one week prior to the incident the family was on vacation in [REDACTED] N.J. While on vacation, the child played with the other children and swam in the pool, she did not complain of feeling ill or of any pain.

The biological mother acknowledged using inappropriate physical discipline on the child. She had been observed by the paramour and other family members hitting the child with a closed hand and with force. The biological mother stated that she sometimes does not realize her strength. The biological mother stated that she disciplined the child one week prior to the hospitalization; for touching things on the dresser. She reported "popping" her in her side and on her arm, but there is never intent to harm her child. The biological mother also stated that she sometimes uses other appropriate methods of discipline.

The DHS social worker interviewed the biological mother's paramour. The paramour was able to provide a timeline of events that occurred several days before the incident. She reported that the child fell from her bike on 07/21/2014 at the time of the fall she did not obtained any injuries, and did not complain of pain. A family of the paramour reported that she observed the child fall

off of the bike, she fell backwards and hit her head on the cement, and that she was not wearing a helmet.

The Paramour also reported that on 07/21/2014 when the biological mother returned home from work, she noticed that the child had been touching items on her mother's dresser. The biological mother became upset and disciplined her. According to the paramour, the biological mother took her into another room to discipline. The paramour knew that the child was being physically disciplined, because she heard the child saying "please don't hit me anymore". The paramour entered the home to stop the biological mother, and observed her punching the child in the "body". The paramour told the biological mother to stop, and then had the child leave the room.

On 07/23/2014 the child began to complain of a headache, the paramour took her temperature which was 100.9, she was also vomiting. The paramour told the biological mother that the child should be taken to the hospital. The biological mother implied that maybe the fever was caused by a virus. The biological mother instructed the paramour to give the child warm ginger ale, but it did not help, the child continued to vomit. On 07/24/2014, the child complained that her knees were weak.

Several family members were interviewed by the DHS social worker: maternal grandmother, the paramour's cousin, and the maternal grandfather, they all reported that the child was always very active with typical behavior, nothing unusual. The family recently went on vacation, and there were no problems with the child complaining of pain or injury. The child was described by the paternal great grandmother (PGGM) as energetic, very helpful, talkative, and enjoying TV and puzzles. The mother and her paramour have been together for 3 years. Documentation from DHS confirms that the family members were all consistent in their accounts, and the family appeared to be credible during each individual interview.

The Preliminary Safety Assessment was completed on 07/24/2014 at the home where the incident occurred.

On 08/11/2014, [REDACTED] began providing case management services for the family.

On 09/05/2014, DHS submitted the status determination as Unfounded based on insufficient evidence to support the allegation. The child had no previous conditions. Two days prior to hospitalization, the child fell off of her bike and hit her head, there were no reported injuries. Medical documentation concluded that there was insufficient evidence to support the allegation. The final Act 33 review report indicated that, it could not be definitively determined if the injury was a result of abuse.

Current Case Status:

[REDACTED] She was formally placed with her MGF in Kinship Care on 01/07/2015 [REDACTED]

